

(DRAFT COPY)

29th Day 469

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Mr President

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Your Committee "on Judiciary", & whom was referred the question as to the meaning and construction of the Act of the State Legislature calling this Convention, in regard to the fund or funds chargeable with the cost of printing, stationary etc necessary for said convention, respectfully report, that we had the same under consideration and that it is the opinion of the Committee

That under the Act it is the duty of the Secretary of State to furnish the members of the Convention with stationary, and that the same is chargeable to the \$25,000 appropriated "for Stationary, fuel, lights etc for the Legislature and State Officers etc".

This conclusion is arrived at by construing the Act making the general appropriations with the Act calling the Convention. (see Stats 1877-8 p. 1007, 3rd item from bottom of page - Same Stats. p. 1008. S. 2 and page 763. S. 5.)

Reading these sections and provisions together lead us to the opinion above expressed.

2nd. As to the printing, it is our opinion that it is chargeable to the \$100,000, appropriated for support of the State printing Office. (See Stats 1877-8 p. 1007. S. 1. 12th item from top of page - See also same Stats. p. 765. S. 10., by which the printing is directed to be done at the State printing Office, and the Convention is not given control of it, nor required to audit the accounts therefor; but that power is confined to the pay of members, employees etc.

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Worths

This view is strengthened by the fact that the Controller's Estimate for the State printing Office for the two years ending June 30th 1880 was the sum of \$75,000; (See last Report of Controller p. 131.) while the appropriation was \$100,000. (See Stats 1877-8 p. 1007 before cited.)

This large appropriation leads us to the conclusion that the printing for the Convention was included; and this is strengthened by the fact, that there was only \$150,000 specially appropriated for the expenses of the Convention, and their pay was fixed at \$10. per day, and the number fixed at 152 members, while one hundred days are allowed them to sit; when it must have been apparent to the Legislature, that \$150,000. would have been greatly inadequate to pay all the expenses of the Convention for a much shorter time than one hundred days.

3rd. All other expenses of the Convention must, in our judgment, be paid out of the special appropriation of \$150,000. made in the act calling the Convention.

All of which is respectfully submitted.

At 23rd 1878.

S. M. Wilson
Chairman
Jury Committee.

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Constitutional Convention of the People of the State
of California.

Book

Resolved that under the law of the State calling this Convention the stationary furnished members by the Secretary of State is chargeable to the appropriation of \$25,000 made "for stationary, fuel, lights &c", and not to the special appropriation of \$150,000 made in said Act calling the Convention; and that the printing is chargeable to the appropriation of 100,000 for the support of "State printing" and not against the \$150,000 appropriation aforesaid; and

Be it further

Resolved that the President of the Convention be instructed to take such steps as he may deem necessary to be taken in the premises to carry into practical effect the foregoing resolution.

Report of the
Enclosure
Committee and
allowing
Ballotin on
the question
of what ~~friends~~
are chargeable
with the expenses
of the Convention

Oct 26 1878

Read & ordered printed

Thornton
as sec

Nov 6 1878
Taken from Table
and adopted

Thornton
as sec